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November 17, 2015

Hon. George B. Daniels
U.S. District Judge
U.S. District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl St.
New York, NY 10007-1312

**Re: *United States ex rel. Platz v. Bank of America Corp.*, No. 12-cv-8399
Response to Relator's November 3, 2015 Letter to the Court**

Dear Judge Daniels:

Defendant Bank of America Corporation submits this letter in response to Relator Jon Platz's November 3, 2015 letter seeking leave to file a supplemental letter brief purportedly addressing issues discussed at the October 15, 2015 hearing on the Bank's motion to dismiss Platz's Third Amended Complaint (TAC). Platz's request for leave should be denied. First, most of Platz's supplemental brief addresses an issue—the government knowledge defense—that was not discussed during the hearing. Second, the issues actually addressed at the hearing were fairly presented in the parties' briefs, and Platz should not be allowed another round of briefing based on what he admits was his counsel's lack of preparation for the hearing. *See* Letter Brief at 1.

If, however, the Court grants Platz leave to file his letter brief, the Bank respectfully requests leave to file its own letter brief in response to Platz's brief, which is attached hereto.

Respectfully submitted,

/s/ Jonathan Cedarbaum

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